Missing:

**Children without parental care in
international development policy**

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Acknowledgements

EveryChild
working for a world where children
are safe and secure

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Summary

Introduction

20 years on from the adoption of the UN Convention on the Rights of the Child (UNCRC), evidence suggests an alarming lack of progress in achieving children's fundamental rights to grow up in a loving family environment. Research, particularly from less developed regions, shows a substantial and growing number of children without parental care, with devastating impacts on children's rights. In recognition of this problem, child rights activists have campaigned for the 20th anniversary to coincide with the agreement of UN guidelines aimed at preventing family separation, and ensuring appropriate care for girls and boys who are without parental care. The full implementation of these guidelines is urgently needed as governments, and many of those working in international development, are not doing enough to address the pressing problem of children without parental care. EveryChild has made a strategic decision to focus all of its work on this vulnerable group. This paper draws on EveryChild's programmes in 17 countries, and on an extensive literature review and consultations with over 400 children. It argues that children without parental care must be mainstreamed, rather than missing from the international development agenda.

Children without parental care – a growing trend

Children without parental care are defined as all children not in the overnight care of at least one of their parents. They include children living in residential care, with extended or foster families, in child-only households, in juvenile detention, on the streets or with employers. A lack of attention to this vulnerable group means that there is an incomplete statistical picture of the number of children without parental care. The figures on some categories of children without parental care that do exist suggest that there are at least 24 million children without parental care globally, or 1% of the child population. Where there are more detailed country and regional level statistics, a much more alarming picture is presented. For example, in Russia, at least 2.7% of the child population are without parental care. Estimates from several countries in Southern Africa suggest that 12-34% of children live with neither parent.

Alarmingly, research suggests that the number of children without parental care is on the increase. For example, there has been a proliferation in the number of children's homes in Southern Africa and South Asia in recent years. In Bangladesh alone there are 49,000 children in institutional care and the government has recently supported the building of 500 private institutions. Largely due to the AIDS pandemic, the number of orphans in Sub-Saharan Africa has risen by more than 50% since 1990.

An increase in a loss of parental care – a threat to children's rights

The growing number of children without parental care has worrying implications for efforts to achieve the rights outlined in the UNCRC. A loss of parental care threatens children's rights to:

- Survive
- Be free from violence, abuse and exploitation
- Grow up in a supportive family environment
- Develop and learn
- Participate

Of course, the impacts of a loss of parental care on these rights vary enormously by factors such as age, gender and level of disability and the living situation of the child. Overall, children without parental care are safest in family-based alternatives to parental care, such as fostering or kinship care. As long-term residential care can cause developmental delays, and expose children to violence and abuse, it should generally be used as a last resort, and only when proven to be in the best interests of the child.

A loss of parental care does not always harm children, and can give girls and boys an opportunity to escape abusive relationships, receive love and support from extended family members, attend school or earn incomes needed to survive. However, all too often, a loss of parental care in the developing world is not the result of well thought out strategies to protect children, but instead due to parents and children having to make agonising choices about whether to stay together, or have enough to eat, or gain access to basic services.

An increase in a loss of parental care – The need for a holistic approach in international development

The growing number of children without parental care affects developing countries disproportionately. The negative impacts of a loss of parental care also threaten the achievement of the Millennium Development Goals, with wide-reaching and long-term ramifications for international development. For example, children without parental care are more vulnerable to malnutrition and long-term poverty, less likely to attend school and more likely to die young or suffer from maternal and reproductive health problems in adolescence. Despite the importance of this issue to international development, evidence suggests that not enough is currently being done to address this pressing problem. There is a lack of investment in social protection measures for vulnerable families, and limited recognition of a need to recognise the specific needs of children without parental care in such interventions. This means that some existing social protection measures are inadvertently increasing the number of children without parental care. There is also widespread continued support for residential care and juvenile detention, and a general lack of investment in child protection and alternative family-based care for children who cannot be with their parents.

In order to effectively respond to the absence of a loss of parental care on the international development agenda, it is essential to take a holistic approach to the problem. The growth of a loss of parental care is caused by a complex array of factors, including household poverty, violence, abuse and neglect in the home, a lack of access to good quality education and health care close to home, and inappropriate policies which support the institutionalisation or detention of children. To address these root causes, and to protect children already without parental care, it is therefore necessary to engage individuals and agencies working in a range of sectors:

Social protection: Enhancing material and non-material support to vulnerable families to help them address the root causes of a loss of parental care, and using social protection measures to help protect children already without parental care. Ensuring that existing programmes do not inadvertently lead to increase in a loss of parental care, and that new programmes are designed to be sensitive to this issue.

Child care reform and child protection services: Developing and supporting community based child protection mechanisms and enhancing family-based alternatives to residential care. Ensuring that proper systems of assessment, case management and regular review are in place for children already in residential or other forms of state care.

Education: Providing high quality, relevant, education close to home that aims to protect children without parental care, and, where this is not possible, ensuring that children who have to leave home in order to gain an education have safe, well monitored accommodation.

Health care: Providing quality health care services close to home and, where this is not possible, ensuring that safe, well monitored, temporary forms of care are offered to children whose parents have been hospitalised.

Justice: Making justice systems more child-friendly to protect and support child victims of abuse, violence and exploitation. Reducing the number of children placed in detention through measures designed to reduce juvenile offending, support to ensure free and fair trials, and diversionary tactics which offer alternative forms of punishment for children.

Trafficking and migration: Ensuring that anti-trafficking measures do not have a negative impact on independent child migrants. Investing in social and child protection and education to reduce the number of child migrants/ trafficked children. Protecting children who migrate in search of work.

Children without parental care – a call to action

In order to make progress in reducing the number of children without parental care and protecting those already separated from their parents, EveryChild believe that urgent action is needed in the following areas:

1 Promoting the full implementation of the UN Guidelines on the Alternative Care of Children:

- All governments who have ratified the UNCRC must develop an action plan for the full implementation of the UN guidelines which involves the participation of children, families and communities. Such action plans should not narrowly focus on child care reform, but extend to ensuring that children without parental care are considered in social protection programmes, and the delivery of basic services.

- International donors must provide proper investment in programmes to disseminate and implement the guidelines and should be transparent in the documentation, monitoring and evaluation and publishing of this process.

- Civil society organisations (CSOs) should support the development of national plans of action, including promoting child and community participation. CSOs should also commit to promoting the guidelines in their own interventions, particularly through reversing the current support offered to residential rather than family-based care by many CSOs.

2 **Mainstreaming children without parental care in UK government international development policy:**

- DFID should mainstream child protection issues and children without parental care in their interventions on global poverty reduction, including on social protection systems, HIV and AIDS, education, health and justice, and in responses to environmental degradation, conflict and natural disasters.

- DFID should devote more resources to specific interventions aimed at protecting children from violence, abuse, neglect and exploitation, and at reducing the number of children without parental care. DFID should be transparent in the documentation, monitoring and evaluation and publishing of this process.

- DFID must develop a child protection policy to help ensure that its actions benefit and do not harm children.

3 **Ensuring that the post Millennium Development Goals (MDG) framework includes child protection/ children without parental care indicators:**

World leaders, UN partners and others working on the post MDG framework must ensure that additions to the MDGs include indicators reflecting the need to protect children from violence, abuse and exploitation, and the central importance of parental care in protecting children.

It is only through such concerted efforts that we can ensure that the next major anniversary of the UNCRC sees a fall, rather than a rise, in the number of children without parental care.

EveryChild is an international development charity working to stop children growing up vulnerable and alone. More than 24 million children grow up without parental care, their survival often threatened by greater risk of malnutrition, violence and exploitation; their future lost by missing out on school, and their childhood. Working with local partners we keep children safe when they are alone and at risk. We protect children in danger of ending up on their own by keeping families together. And we get children back to a safe and caring family, wherever we can.

www.everychild.org.uk

1 Missing: Children without parental care in international development policy

Introduction

20 years on from the adoption of the UN Convention on the Rights of the Child (UNCRC), evidence suggests an alarming lack of progress in achieving children's fundamental rights to grow up in a loving family environment. Research, particularly from less developed regions, shows a substantial and growing number of children without parental care, with devastating impacts on children's rights to survival, development, education, health, nutrition and freedom from abuse and exploitation. In recognition of this problem, child rights activists have campaigned for the 20th anniversary to coincide with the agreement of UN guidelines aimed at preventing family separation, and ensuring appropriate care for girls and boys who are without parental care. The full implementation of these guidelines is urgently needed as governments, and many of those working in international development, are not doing enough to address the pressing problem of children without parental care.

EveryChild has made a strategic decision to focus all of its work on this vulnerable group. This paper draws on EveryChild's programmes in 17 countries, and on an extensive literature review and consultations with over 400 children.[1] It argues that in addition to urgent reform of child care systems, it is also essential that those working in fields such as social protection, juvenile justice, health and education recognise the importance of children without parental care. In short, children without parental care must be mainstreamed, rather than missing from the international development agenda. A failure do this will be another barrier to the Millennium Development Goals (MDGs), and condemn a generation of children to a life of abuse and neglect without the support and protection of parents.[2]

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1 See Appendix 1 for further details of the child participants and the methods used to consult with children. The case study examples provided in the boxed text from Ukraine and Cambodia are taken from testimonies produced as part of the iceandfire theatre project which used these and other testimonies gathered by EveryChild or partner agency staff to highlight a range of rights abuses. The case study from Malawi was collected during a visit by head office staff to EveryChild's programme in Malawi. All names in these case studies have been change to protect the identities of the children.

2 EveryChild has also developed a longer paper 'EveryChild deserves a family' outlining our approach to children without parental care which provides more details on definitions, impacts, risk factors and principles for good practice. To see this paper, please visit our website: www.everychild.org.uk/content/Resources

This paper is divided into six sections. Following the introduction, the second section provides evidence on the large and increasing number of children without parental care. The third section highlights the devastating impact that this worrying trend is having on children's rights. The fourth section outlines the complex array of causes behind a loss of parental care, and explains the consequent need for a holistic approach to the problem. This section details recommendations for those working in the fields of social protection, child protection and child care reform, education, health, juvenile justice and child trafficking and migration. The fifth section provides further impetus to arguments for urgent action on the growing number of children without parental care by summarising the links between the MDGs and the number of children separated from their parents. Here, it is argued that a growing number of children without parental care is both a cause and a consequence of slow progress against some of the MDGs. The final section outlines calls for action around the full implementation of the UN guidelines, the mainstreaming of this issue in UK government international development policy, the inclusion of relevant indicators and in post-MDG frameworks.

Tabita, an EveryChild Street Educator, works in Bangalore train station rescuing children living and working on the platform. She is talking to 12 year old Samendra, encouraging him to accompany her to the safety of our nearby shelters – the first step in getting Samendra back to his family. © Matt Writtle/EveryChild

2 Children without parental care – **a growing trend**

Children without parental care are defined as: **'All children not in the overnight care of at least one of their parents.'** [3]

They include children living in residential care, with extended or foster families, in child-only households, in detention, on the streets or with employers. A lack of attention to this vulnerable group means that there is an incomplete statistical picture of the number of children without parental care. The figures on some categories of children without parental care that do exist suggest that there are at least 24 million children without parental care globally, or 1% of the child population. Where there are more detailed country and regional level statistics, a much more alarming picture is presented. For example, in Russia, at least 2.7% of the child population[4] are without parental care (Pomazkin 2008). Estimates from several countries in Southern Africa suggest that 12-34% of children live with neither parent (UNICEF 2008b). This compares with around 1.8% of children without parental care in the UK. [5]

Children without parental care are most likely to be found in kinship care. Around 90% of orphaned children in many African countries are cared for by extended family members, and in Indonesia 70-80% of children separated from

parents as a result of the tsunami live with family members (Save the Children UK 2007). In Central and Eastern Europe and the Commonwealth of Independent States (CEE and CIS), 30-50% of children without parental care are in kinship care (Pomazkin 2008; UNICEF 2008d; UNICEF 2009). Despite increasing acknowledgement of the harm caused by institutional care, an estimated 8 million children around the world continue to live in residential care facilities (Pinheiro 2006). 1.2 million children are separated from parents as a result of trafficking each year, and millions more migrate for work, including large numbers of live-in child domestic workers (Dottridge 2006). There are around 1 million children in detention worldwide (Save the Children 2004). In many cities, children who have often run away from abusive carers end up sleeping on the streets. Although relatively rare, some children without parental care have to fend for themselves and care for younger siblings at home. In Sub-Saharan Africa around 1% of households are child-headed (UNICEF et al 2006).

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3 This is the definition provided by the draft UN Guidelines for the Alternative Care of Children (UN 2009).

4 This is calculated by adding global estimates on: the number of children in institutions (Pinheiro 2008); the number of trafficked children (Dottridge 2006); the number of children who have lost both parents (UNICEF et al 2006) and the number of children in detention (Save the Children 2004). It is recognised that some children may fit into more than one of these categories and therefore be 'double-counted.' However, as many more children without parental care are excluded from the figures, this is still felt be reliable indication of the minimum size of the problem.

5 Figures obtained from the Office of National Statistics' website on the number of children living with adults or other relatives who are not the children's parents, and the number of children living in commercial establishments such as children's homes from the last census in 2001 (see http://www.statistics.gov.uk/census2001).

Alarmingly, research suggests that the number of children without parental care is on the increase.

This is indicated by:

■ **An expansion of residential care:** There has been a proliferation in the number of children's homes in Southern Africa and South Asia in recent years, many of which are privately run and therefore poorly regulated (UNICEF 2008a; Powell et al 2004; UNICEF 2008b). In Bangladesh alone there are 49,000 children in institutional care and the government has recently supported the building of 500 private institutions (UNICEF 2008a). Reports from Cambodia suggest that the number of children in residential care rose from 5,700 in 2005 to over 8,600 in 2007, with a doubling in the proportion of under 5s in institutional care in the same period.[6] In Swaziland, 80% of children's homes were established between 2000 and 2004 (UNICEF 2008b). Despite major de-institutionalisation programmes, the number of children in institutional care in many CEE/ CIS countries either remains stable or is actually on the increase (UNICEF 2009; UNICEF 2008d; UNICEF and the Institute for Urban Economics 2008).

■ **A rapid rise in the number of orphans in sub-Saharan Africa:** Largely due to the AIDS pandemic, the number of orphans in Sub-Saharan Africa has risen by more than 50% since 1990. Even with efforts to reduce the prevalence of HIV, the number of orphans will continue to grow in coming years due to the time-lag between infection and death (UNICEF et al 2006).

■ **A growth in the number of children being placed in the care of the state in Asia:** For example, in Central Asia, there has been an increase in the rate of children placed in the formal care of the state from 644 per 100,000 in 2002 to 702 per 100,000 in 2007 (UNICEF 2009).

■ **Increases in poverty and cuts in vital child protection services as a result of global recession:** During the past economic crisis there was a dramatic rise in child labour, child trafficking and violence within the home, all key causes of a loss of parental care (Harper et al 2009). EveryChild's programmes in several countries, including Georgia and Ukraine, have observed cuts in child protection services and a slowdown in reform processes since the recession began. Even in relatively well resourced countries with extensive social protection measures, recession is leading to a rise in the number of children without parental care. In the UK, the largest charitable provider of foster care has reported a doubling of referrals from local authorities in the last year, a trend which is largely attributed to the pressures on family life caused by growing unemployment and poverty (The Adolescent and Children's Trust cited in The Observer, Sunday 18th of October 2009).

■ **Increases in instability, conflict and natural disasters as a result of climate change:** There is predicted to be an alarming rise in both conflict and natural disasters in coming years due to the impact of climate change, and indeed some experts believe that we are already seeing the impacts of climate change, with, for example, the current drought in East Africa. Climate change is also likely to lead to longer-term instability due to factors such as water shortages, land degradation and consequent migration. Emergency situations lead to an immediate increase in the numbers of children without parental care as parents are killed, or become separated from their sons and daughters in the chaos. In one province in Indonesia alone, the Tsunami led to nearly 3000 children becoming separated from their parents (DEPOS and Save the Children 2006). Conflict and natural disasters can also lead to 'secondary separation' which occurs as a result of the impact of the disaster on household poverty rather than a loss of a carer. Longer term instability caused by climate change will have an impact on poverty, adult migration rates and other root causes of a loss of parental care.

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6   Information from the UNICEF/ Cambodian Ministry of Social Affairs, Veterans and Youth Rehabilitation Alternative Care database.

3 An increase in a loss of parental care – **a threat to children's rights**

The growing number of children without parental care is worrying as a loss of parental care is often a rights violation in itself, and threatens a range of other rights. Whilst in a small number of instances, a loss of parental care can allow children to escape abusive or neglectful family relationships, separation from parents more often places children at risk of suffering rights violations. As argued below, in the developing world such separation is not generally the result of well thought out child protection measures aimed at removing children from harm, nor is it a choice made freely by children or parents. Instead, factors such as poverty, inadequate child protection policies, or lack of access to school or health services prevent children from enjoying the protective environment that good parenting provides.

The impact of a loss of parental care on a child's well-being varies enormously depending on the living situations of the child, and factors such as age, gender and levels of disability, which effect children's resilience and ability to cope with challenging situations. Overall, children are safest in family-based alternatives to parental care, such as fostering or kinship care, though, as shown below, even here they are vulnerable to rights abuses. Children in residential care are vulnerable to abuse and frequently suffer developmental delays as a result of an inability to form an attachment with a loving carer. As such, long-term residential care should generally be used as a last resort, and only when proven to be in the best interests of the child.[7]

Denying children their rights to grow up in a family environment

According to the UN Convention on the Rights of the Child (UNCRC), all children:

..."should grow up in a family environment in an atmosphere of happiness, love and understanding." (Preamble to the UNCRC) Children should also:

...'not be separated from his or her parents against their will... [unless] such separation is necessary for the best interests of the child.' (Article 9 of the UNCRC – see also Article 3)

Evidence from around the world suggests that children are frequently denied these rights as children often do not choose to be separated from their parents, and such decisions are commonly not in their best interest. For example, as is shown below, children are often separated from parents because of poverty rather than because parents are incapable of caring for them. In extreme cases, such as child trafficking or child soldiers, a loss of parental care may involve children being abducted from their families.

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7 Short-term residential care can be used as an interim measure, for example, to enable children an opportunity to recover from traumatic experiences. In a minority of cases, long-term residential care may also be appropriate when, following proper consultations and review, it is deemed to be in the best interests of the child (see House of Commons – Children, School and Families Committee 2009).

The UNCRC recognises that parents have a key role in children's upbringing, and that they need support to fulfil their duties. Article 18 states that parents have the prime responsibility to care for their children, and calls on governments to:

...'render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities.'

The preamble states that the family:

'...should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.'

Not all parents fulfil their responsibility to care for their children, and may neglect, abuse or abandon them, leading to a loss of parental care. Some of this failure may be due to poor parenting, though EveryChild's experiences around the world suggest that many parents are not provided with the necessary assistance to enable them to care for their sons and daughters properly (see below).

Girls and boys feel the abuse of rights relating to family life keenly. Those involved in EveryChild consultations spent more time talking about a loss of love and emotional support than any other rights.

The most important thing that children miss is love. Where children are loved, they receive all that they need.
A boy from Malawi

It is very sad to be separated from parents. You feel very bad when other children hug their parents....on Mother's Day, children give their mothers a present prepared by themselves and it's very sad, and here is when you grumble about it by saying "why was I born?" A girl from Peru

We miss home. All the children miss home; their mothers, the love of their parents.
A girl in residential care in Moldova

A lack of a loving bond: threatening child development

A loss of parental care has a devastating impact on children's physical, psychological, and social development and sense of identity. For many children without parental care, being unable to form loving attachments has particularly harmful implications for their development. Attachment theory, initially posed by Bowlby in the 1960s, states that children need to feel secure in the love of at least one carer, with this attachment having an impact on self-esteem, confidence, and ability to form relationships (see Oates et al 2005). In institutions, a lack of attachment and of adequate stimulation has been shown to hinder the development of social skills, motor-skills and intellectual capacity (EveryChild 2005; Tolfree 2003). Research suggests that very young children are particularly vulnerable, with infants suffering unless they are moved to family-based care by the age of six months (Johnson et al 2006). Emotional deprivation in under threes can hinder the physical development of the brain (Rutter 1996).

Some children without parental care, particularly those in long-term kinship care, are able to form attachments, though even this group may face challenges if they are frequently moved around and discriminated against (Save the Children 2007). Other groups, particularly those living on the streets, or in institutions or detention, may be denied the opportunity of this all important bonding process (Thomas de-Benetiz 2007; Save the Children 2004; Tolfree 2003). In many institutions, children's ability to form an attachment is particularly hindered by limited contact with families, high staff to child ratios, and high staff turn-over. EveryChild research in CEE/ CIS states suggests that children in institutions are often denied contact with their families (EveryChild 2005). Research in Sri Lanka shows that three in ten children in institutional care see their relatives only a few times each year, and that two in ten have no contact at all with them

(Roccella 2007). Research suggests that staff to child ratios vary enormously around the world, but in some instances can be as high as 1:100 (Pinherio 2006). In Sub-Saharan Africa, the rapid rise in children's homes run by faith-based organisations in response to the HIV and AIDS crisis means that children are often cared for by volunteers. Not only are such individuals often not properly trained, but they also come into institutions for relatively short periods of time, making it particularly hard for children to form a long lasting bond (Firelight Foundation 2008).

Exposing children to violence, abuse and exploitation

As highlighted by the recent UN study on violence against children, children without parental care are amongst the most vulnerable in the world to violence and abuse (Pinheiro 2006). Violence in residential care is often sanctioned by the state; in 145 countries, corporal punishment and other forms of degrading treatment are not explicitly prohibited in institutions (Pinheiro 2006). As illustrated by the quote and case study below, children in institutional care commonly report violence and mistreatment by carers (see also Tolfree 2003):

❝ Sometimes the teacher [in the institution] can beat them up and yell at them. ❞
A girl in residential care in Georgia

Children in kinship care are commonly punished more than biological children in the household, and may be vulnerable to sexual abuse from uncles, step-fathers and cousins (Pinheiro 2006). As highlighted by children from Malawi who took part in EveryChild consultations, such violence and abuse varies depending on the sex of the child and the nature of the relationship with their carer.[8] Both boys and girls argue that grandparents treat them better than other relatives. Girls spoke of a risk of sexual abuse if children are sent to live with sisters or aunts:

❝ Usually her [sister's] husband will want to sleep with you as his second wife. ❞

❝ In our culture, you can marry your cousin, so if you happen to stay with him, he will start making advances at you to have sex with him. You could become pregnant and drop out of school. ❞
Girls from Malawi

Girls also said that some relatives, including sisters-in-law, resented the drain on resources they caused and sought husbands for them, leaving them vulnerable to early marriage. Boys complained of having to work long hours and of uncles being particularly harsh, sometimes in repayment for bad treatment they had received as children from the boy's fathers:

❝ They say "your father used to give us a lot of work, now we're going to do the same to you". ❞
A boy from Malawi

Both boys and girls reported cousins, and other child relatives in the household, mistreating them as they resented them using up the limited resources of the household.

As highlighted in the case study below, children in detention are often kept with other adults and beaten or sexually abused (see also Save the Children 2004). In 78 countries, corporal punishment remains a legal disciplinary measure in juvenile detention, and in 31 states corporal punishment is still permitted as a sentence against children (Pinheiro 2006). The police also commonly use violence to extract confessions from children (Pinheiro 2006; Save the Children 2004).

Children, especially girls, on the streets are highly at risk of sexual violence from others on the streets. Boys are more at risk of physical violence. Both boys and girls on the streets are subject to public hostility which can result in violence against them (Thomas de Benitez 2007).

8 Research from UNICEF et al (2006) supports this. It suggests that the most distant the relative that a child lives with, the more likely they are to be discriminated against and abused.

Life in institutional care
– a case study from Ukraine

Mariya is 19 years old. Her father died when she was a child, and her mother was denied parental rights when Mariya was two months old. Mariya spent her childhood in and out of institutional care. She initially spent the holidays with her grandmother, but ended up in full time residential care when her grandmother died around 12 years ago. As the quotes from Mariya demonstrate, she experienced the trauma of being apart from her family, and many years of mistreatment and abuse:

….'we cleaned up corridors before lunch, although this should be done by cleaning ladies. This was a punishment for those who offended. …Then they got us to bed. If we didn't want [to sleep], for instance and we started to come out from our rooms, they closed us in, each room was locked with a key. Or if we started to make noise, or stood up from our beds we had then to clean up the territory, or wash up dishes, or tiles…So we were punished in that way. …[One time] I was put into isolator, where sick children should be kept. …..to sit totally isolated and closed…it was situated on the first floor with bars on windows…and this room … was our little prison. …They closed us in [this room], because we violated discipline, smoked for instance or something else…. then they became, even with me, very aggressive. I thought if you do it in this way I would run away from you. And other children felt this aggression too. …I didn't care if they [the staff] stole from us, older children, but they stole from very little kids!'

'When somebody came from the TV and wanted to interview the children, they would wind the children up for a talk with the journalists; they told us to say that we were well-fed and that everything was good. They even gave us candies for this. They would say "my dear, my love" to a child who they didn't even look after before. And, of course, a little child would say what they wanted. Other children would also obey because they wanted to be loved, but they always hid the children who would complain – I was one of those.'

As reported by children from Cambodia who took part in EveryChild consultations, street children may fight against one another. As highlighted by children from Peru and Guyana, this may involve gang violence in some cases. Street children may also be harassed by the police. One of the boys from India involved in the consultations spoke of being beaten by the police for begging on railway platforms.

Many children without parental care who work are subject to violence, abuse and exploitation by employers. Domestic workers may be beaten or sexually abused by employers or others in the household (Blagbrough 2008). Child soldiers, including girls employed in a supportive capacity, and trafficked children often experience violence as part of their recruitment and daily lives (Delap 2005; Reale 2008). Children who migrate for work suffer violence and abuse on route as well as at their destination. Girls have been found to suffer sexual abuse from drivers, border guards and the police whilst travelling (Delap 2009a; Reale 2008).

Threats to child survival

A loss of parental care often threatens children's right to survival, with, for example children in the 0-3 years age group being almost four times more likely to die during the two years surrounding a mother's death (cited in UNICEF et al 2006). Some groups of children without parental care are particularly vulnerable. As argued by girls and boys from all of the regions involved in EveryChild consultations, children living on the streets lack proper accommodation, have nowhere to wash, and do not have enough to eat, or have to eat poor quality food such as that found in rubbish bins. Children living with employers are often engaged in exploitative and harmful forms of work, and domestic servants are frequently denied the food given to other children in the household (Blagbrough 2008).

Children in some forms of kinship care may also face problems. In Sub-Saharan Africa, children without parental care often go to live in already vulnerable households, such as those headed by women or elderly grandparents who may struggle to provide enough food for the children in their care (UNCIEF et al 2006; UNICEF 2007; UNECA 2008). As argued by boys in Malawi, grandparents in particular may struggle to provide for their grandchildren as they are too weak to work. As children living with other relatives are often discriminated against, these children may also not get enough food (UNICEF et al 2006).

As illustrated by the case study below, children in detention commonly receive inadequate food and shelter (Save the Children 2004) and some children in residential care may also receive poor quality food (EveryChild 2005; Parwon 2006; Rocella 2007). Children's ability to survive varies by factors such as age, with very young children particularly vulnerable in some settings. For example, in Russia, official statistics suggest that the mortality rate for children under four years old in institutional care is ten times higher than that of the general population (Ministry of Health and Social Development 2007).

Minors in a provincial prison in Cambodia where they serve their sentences alongside adult prisoners.

Mental and physical health problems

A loss of parental care has many negative ramifications for children's right to good physical and mental health. As outlined above, children without parental care may be malnourished with consequent health ramifications. Poor living conditions, such as those experienced on the streets, or in over-crowded institutions, can expose children without parental care to infectious diseases and other health problems. Without parents there to protect and guide them, children without parental care are more likely to engage in early sexual activity or drug and alcohol abuse, exposing children to HIV infection and other health problems (UNICEF 2007; Jackson and McParlin 2006). Children may be forced into such activities, such as girls and boys who are trafficked into commercial sexual exploitation or children who are raped or abused by employers, or there may be an element of choice. As argued by the children who took part in the consultations, street children are particularly vulnerable to such high risk behaviours (see also Thomas de Beneitez 2007), though other children, including those in residential or other forms of state care are also more at risk (see for example Jackson and McParlin 2006).

What else can they [street children] do? They have no choice but to get drunk. Get a drink, go to sleep and the time passes faster.
A boy from Ukraine

Life in detention
– a case study from Cambodia

Meas Chiva is a 19 year old Cambodian boy who is six years through a 15 year sentence for rape, a crime he claims he did not commit and which he was accused of as a result of a feud between his family and that of the alleged victim. Meas Chiva was coerced into a confession and received no legal representation during his trial, despite being only 13 years old at the time. Here, he describes his life in prison:

'Conditions here in prison are hard. A normal day for me is like living in hell: no goal, no mission, no future. I wait until I die. Recently I have been made to share my cell with much older men. The cell is not nice, it is very narrow. We sleep three to a matt on the floor. The guard has put an adult prisoner in the cell in charge of the rest of us. He is "the Boss". He keeps us in line - he is scary and we are all afraid of him. If we behave well we are not treated too badly but when someone does something wrong the punishments can be very severe. If someone tries to escape or gets into fights they are chained in a room. I remember a time when one young boy tried to escape. They caught him and chained him in his cell for three months and beat him. I wanted to help him but was too scared that someone would tell the 'boss' or the guards and then I would get in trouble.

The food we are given here is very limited, only five grams rice a day with soup like water. It is not enough for us and we are always hungry. One time I got very sick. They said I had typhoid. There is a prison nurse who is supposed to look after us when we get sick but she only becomes nice if there is money. I had no money so had to wait for my family to arrive with medicine. I had a drip in my arm but I was not taken to hospital. I do not know why not.'

Children without parental care often experience mental health problems, owing to the trauma of separation from parents and/ or the poor quality care and protection received. Orphans report higher levels of anxiety and depression than non-orphans with 12% of orphans in Uganda stating that they sometimes wished they were dead (UNCIEF et al 2006). In Russia, an astounding one in ten care leavers go on to commit suicide (Pinheiro 2006), and children in the UK who grow up in local authority care are four times more likely to require mental health services than other children (Jackson and McParlin 2006). High rates of suicide and self-harm have also been noted amongst street children (Thomas de Benitez 2007). These mental health problems are exacerbated by the discrimination faced by many separated children. Losing parents to AIDS, being placed in detention, living in an institution and working on the streets can all lead to stigma and a sense of isolation from wider society (Tolfree 2003; Save the Children 2004; Thomas de Benitez 2007; UNICEF 2007). Discrimination faced by children without parental care, and a lack of investment in health care for some groups, such as those in detention, means that, in addition to suffering more health problems, children without parental care may also struggle to access health care services (UNICEF 2007; Thomas de Benitez 2007; Save the Children 2004).

Limited access to good quality schooling

A loss of parental care often has a devastating impact on children's right to an education. In common with many other working children, street children and those living with employers have little time to attend school, and are discriminated against by inflexible school systems (Delap and Seel 2004; Youth and the United Nation 2008). These problems are likely to be exacerbated by the absence of parents to protect and provide for children, and keep working hours down to a minimum. For example, although education often forms part of the rationale for children being sent to cities to work as domestic workers, in reality, once parents are no longer around to negotiate, these children, usually girls, have little time left in their busy day for studying (Blagbrough 2008). Children in detention often have no access to formal schooling during or after their sentences (Save the Children 2004). Children in kinship care may be discriminated against and receive less schooling than other children in the household (Save the Children 2007).

Denying children the right to participate

Child participation involves encouraging and enabling children of all ages, capacities and abilities to express their views, influence decision-making and achieve change on matters and issues that affect or concern them. The rights abuses faced by children without parental care mean that many children face challenges in achieving their right to participate. Carers and employers may resist children's participation, particularly if they fear that evidence of abuse will emerge. Some children without parental care, such as those on the streets, in domestic service, or engaged in illegal forms of work, lead transient lifestyles and/ or may be hard to access for engagement in decision-making processes. Children in some settings, including some forms of residential care and detention are bound by clearly defined adult rules, making it hard for children to even develop the capacity to express their views, let alone have these views taken into consideration. For example, research by EveryChild in Russia shows that children in residential care have no or little say about their lives, with the needs of adults and of institutions given priority. There is no systematic review of children's needs, contravening Article 25 of the UNCRC, and no complaints procedures, making it almost impossible for children to express their views (Rogers and Smyikalo 2007).

Benefits of a loss of parental care: when is it in children's best interest?

Of course, despite this extensive evidence of the damage caused by a loss of parental care, it is also important to remember than there can also be benefits associated with separation from parents. For example, as highlighted repeatedly by children who took part in EveryChild consultations, separation can allow children to escape from neglectful or abusive parents, and from domestic violence in the home. As also noted by children who took part in the consultations, separation from parents can give some children the opportunity to enter new, loving family relationships, through either adoption or kinship care. The love and support offered by grandparents was particularly emphasised:

❝ **Sometimes your grandma will treat you good if you are staying with her.** ❞
A girl in parental care in Guyana

It is also the case that children and families can use separation as a strategy to increase resources or access to services. For example, children may be placed in institutional care or with kin to access food, health and education services they would not be able to receive at home, a benefit recognised by some children in institutional care who took part in EveryChild consultations:

❝ **At home, we do not have everything that we have here. The living conditions are better here...At home it isn't warm, here it is.** ❞
A boy in residential care in Moldova

Costas Bota in Malawi is supported by EveryChild to look after 13 orphaned grandchildren to ensure they stay together as a family and are able to go to school. © Georgie Scott/EveryChild

" We have food and clothes here. We are OK. " A boy in residential care in Georgia

Children may also leave home to work to enhance their own or their families' chances of survival, and strategies which involve family separation may be a logical response to poverty and poor service provision.

However, despite these perceived benefits of a loss of parental care, it is incorrect to see current levels of family separation as somehow acceptable or inevitable. It is fundamentally wrong that parents and children have to make agonising choices between staying together and having enough to eat, access to health care or an education. Whilst some persistent forms of abuse or violence against children do necessitate family separation, other forms of violence do not. For example, many children spoke of violence between their parents as a key cause of separation. With the right support, parents can resolve their differences to reduce conflict in the home, or can escape from abusive partners and bring up children in single parent households. As argued below, violence in the home often has structural causes which can be addressed and prevented with the right interventions (see example from Peru in the box below on successful strategies to reduce violence and abuse in the home).

4 An increase in a loss of parental care – **the need for a holistic approach in international development**

As shown above, the current number of children without parental care is greater in the developing than the developed world. Factors leading to a rise in the number of children without parental care are also likely to affect developing countries disproportionately. In particular, the AIDS pandemic, the impacts of climate change and the poverty and instability caused by the current recession will all have a greater impact on poorer parts of the world. Unlike in many western countries, a loss of parental care in the developing world is not usually the result of children being taken away from parents to protect them. Instead, research suggests a complex range of factors place children at risk of losing parental care which cut across many sectors of international development. In this section, it is argued that addressing the alarming rise in the loss of parental care requires a holistic approach which targets the key material and non-material factors behind this trend. In essence, this approach involves:

- Using appropriate social protection programmes to help families address the poverty that commonly leads to a loss of parental care.

- Reforms of child protection systems, and material and non-material social protection support to families to reduce children's exposure to violence, abuse and neglect in the home.

- Child care reform to reverse the continued support for the widespread use of residential care.

- The provision of quality education and health care close to home to prevent children from having to leave home to access services, and protect children against some of the factors which lead to a loss of parental care, and the protection of children who currently have to be separated from parents to access services.

- Changes to the justice system to stop the extensive use of juvenile detention.

- A new approach to child trafficking and migration which addresses risk factors, and punishes those who exploit children, but does not promote their clandestine movement through overly restrictive controls.

Of course, it is essential that the linkages between these core areas of action are acknowledged. For example, as argued below, advances in social protection may inadvertently have a negative impact on child protection interventions if the same staff are used to administer both services. Efforts to reform child care systems which rely on residential care will be more effective if combined with strategies to reduce the flow of children into the system by addressing root causes of a loss of parental care through social protection or education provision. Efforts to reform education, health care or social protection must all ensure that they lead to the protection rather than further harm of children.

Addressing the poverty that pushes families apart: social protection sensitive to the needs of children without parental care

There is a strong link between poverty and a loss of parental care. Research from Russia (UNICEF and the Institute for Urban Economics 2009), Brazil (TdH and Exola 2003), Sri Lanka (Roccella 2007), Liberia (Parwon 2006), Southern Africa (JLICA 2009) and South-East Europe (UNICEF et al 2008) all suggests that poverty is a major factor in decisions to place children in residential care.

❝❝ Parents are poor. They leave the child in an orphanage becayse tget can't afford it ❞❞
A girl from Guyana

As illustrated by the case study opposite, poverty pushes many children into exploitative forms of work which involves separation from parents, or onto a life on the streets (Dottridge 2006; Reale 2008; Thomas de Benitez 2007). For example, when household poverty rose during the Asian economic crisis in 1997, the number of street children in some major cities increased by 10-25% (Harper et al 2009). Children may be placed with kin as parents on limited incomes struggle to take care of them. In Malawi, it has been observed that growing levels of poverty caused by HIV and AIDS are changing the causes of kinship care with decisions now made as a result of economic necessity rather than choice (Parry-Williams 2007). Much juvenile crime is committed as a means of getting an income, and the majority of children in the criminal justice system are from deprived communities (Save the Children 2004).

Some strategies which cope with poverty may be particularly likely to lead to children becoming separated from their parents. As highlighted by children involved in EveryChild consultations in Asia, Africa and CEE/ CIS region, adult migration often leads to a loss of parental care. These observations are backed up by research. For example, in Central Asia, children are commonly left behind whilst parents migrate for work. Remittances sent home can support lone parents and kin to care for these girls and boys. However, this is counteracted by the risk that families will struggle to cope and place children in residential care (UNICEF 2009 see also Save the Children 2007).

The links between poverty and a loss of parental care are all the more worrying as factors such as recession, climate change, and HIV and AIDS are increasing the vulnerability of many poor populations, making it even harder for poor families to provide care and protection for their children (Harper et al 2009). For example, currently, evidence suggests that extended families are managing to absorb children who have lost parents as a result of AIDS. However, these informal support systems are becoming increasingly overstretched and in some cases are breaking down altogether (see DFID et al 2009; HelpAge et al 2005; JLICA 2009).

The links between poverty, vulnerability and a loss of parental care highlight the need for appropriate, child-sensitive social protection systems which reach particularly vulnerable groups, and specifically aim to protect children and keep families together. Social protection can be understood as state and non-state actions that support people to address their own poverty, vulnerability and exclusion. As poverty has a number of dimensions, so too should social protection, aiming to enable families to gain regular incomes, and access to basic services or other support structures. Social protection measures often include cash transfers, such as child benefits or pensions, or help with income-generation through micro-credit or business support schemes. However, to fully address all of the dimensions of poverty, it is also important that linkages are made to interventions in areas such as health, education, water and sanitation, and child protection. As is further expanded on below, such integrated social protection provision will not only help to address the poverty that leads to a loss of parental care, but also address other factors
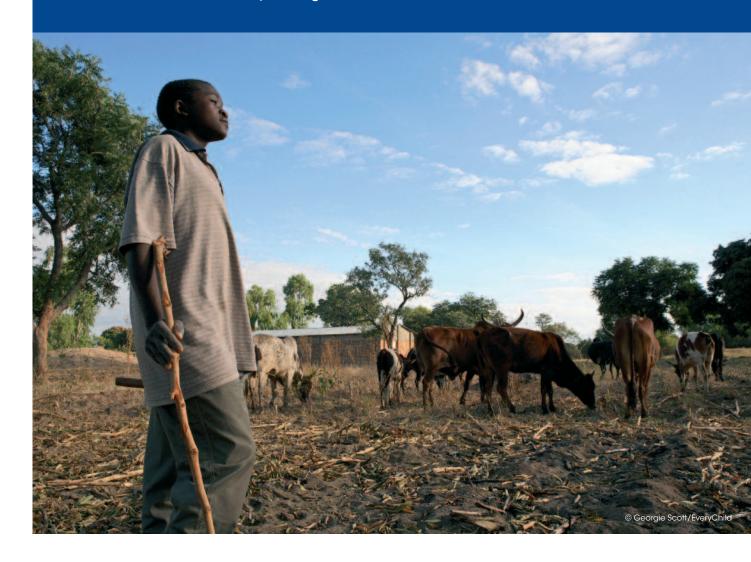
Separated to work
– a case study from Malawi

Onani is a 14 year old boy from Malawi who is employed as a cattle herder 14 km away from his own village. He dropped out of school and moved from his family home when he was 10 years old to take the job. He earns 1000 Malawi Kwacha a month (around £4). He sleeps in a hut close to the herd as a precaution against them being stolen and only occasionally has time to return home for a very brief visit. His father is dead and his mother is responsible for his two younger siblings and three grandchildren. The family are short of food and other basic necessities and depend on Onani's wages for survival.

He said: 'I do not enjoy my work – I would rather be at school with my friends. I occasionally grab a few hours with my mother and sometimes even spend a night at home. But opportunities to do this are rare. I have almost no chance to see my friends. I spend all day with the cattle and any free time I have I use to try and help my mother…I hope one day I can return to live in my village, get married and have a family.'

Onani's mother said: 'I am sad that Onani has to work, misses school and is not at home with me. But because we are so poor I suppose I should be grateful that someone employs him so we can have a little extra money coming in.'

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which place children at risk of separation, such as lack of access to good quality education or violence and abuse in the home.

Social protection has proven to be highly effective in reducing poverty in vulnerable households. Whilst no one response can be applied in all places, transfers of income are a particularly well reputed solution. For example, in South Africa and Namibia, pensions given to older family members are used to effectively sustain entire extended families (HelpAge International 2004). Such transfers are generally low cost and affordable: Lesotho, Mozambique, Botswana, Mauritius and Nepal all have universal old age pensions which cost no more than 2% of the GDP (JLICA 2009), while in Zambia calculations from the pilot social cash transfer scheme indicate that costs for all destitute families would come to around 0.5% of the country's GDP (HelpAge International et al 2005). Despite such evidence, there is currently massive underinvestment in social protection measures, and more resources need to be devoted to this. For example, only 20% of the world's population has access to adequate social security benefits (ILO 2009).

It is not enough to increase allocations to social protection as social protection programmes that are inappropriately designed, delivered inefficiently, and not monitored and evaluated regularly can do little to benefit children without parental care and may actually enhance the problem. For example, in Ukraine, EveryChild has observed children being sent to live with kin to access benefits available to formal guardians of children that are not available to parents. In South Africa, foster care grants are higher than child care benefits for poor families creating a perverse incentive for impoverished families to place their children in the care of others and encouraging some families to foster children as an income generating activity. Both outcomes

distract from the purpose of protecting vulnerable children (UNICEF 2007). The targeting of some social protection measures in sub-Saharan Africa has led to jealousy, resentment and increased discrimination, potentially enhancing the vulnerability of groups already at risk of losing parental care (JLICA 2009; USAID et al 2009).

Such evidence suggests much more research is needed into the impacts of different forms of social protection on children without parental care to ensure that schemes actively protect children and reduce the number of children without parental care.[9] In order to effectively design, deliver, monitor and evaluate social protection that is sensitive to the needs of children without parental care, it is essential that these programmes are transparent, and that children, parents and communities are actively involved in this process. This includes ensuring that outcomes and evaluations are made publicly available and are shared with all relevant stakeholders.

Reforming child protection systems and supporting families and communities to reduce children's exposure to violence, abuse and neglect in the home

After poverty, evidence suggests that violence, abuse and neglect in the home are the most common reasons why children lose parental care. Research from South Africa (Meintjes et al 2007), Venezuela (Pinherio 2006) and Brazil (TdH and Exola 2003) suggest that a substantial proportion of children in institutional care have experienced violence, abuse or neglect prior to their entry into the institutions. Children in the juvenile justice system have often faced violence in homes or schools and a lack of proper parental care and guidance can lead to delinquency amongst children (UNICEF 2006b). Globally, research suggests that violence in the home is the most common

9 Such research would feed into the growing momentum around 'child-sensitive social protection' with many key actors acknowledging the need to design social protection measures to specifically address children's rights (see DFID et al 2009).

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reason for children to run away from home and start life on the streets (Thomas de Benitez 2007. Domestic violence also increases vulnerability to trafficking (Dottridge 2006).

Evidence from children involved in EveryChild consultations shows how such mistreatment can range from neglect to physical or sexual abuse:

❝❝ Children do not live with their parents because parents do not care for them well.
❝❝ A girl in residential care in Kyrgyzstan

❝❝ You can explain everything with words. When I lived at home, no one explained anything to me, they just beat me up. ❝❝
A boy from Ukraine in residential care

Violence between adults can be deeply distressing for children and lead to separation from parents:

❝❝ Girls leave home because they are scared of their parents' arguments ❝❝ A girl from Peru

As highlighted repeatedly by children who took part in EveryChild consultations, conflict between children and parents can also lead to a loss of parental care, with children taking some of the blame for these disagreements. These problems are often exacerbated by children's lack of participation in family decision making, suggesting that a denial of rights to participate is both a cause and effect of family separation.

❝❝ A kid wants to have freedom, she is restricted and thinks that she will be better off outside the family....Parents are too strict and do not allow her to do something for entertainment, they punish her often. ❝❝
Girls and boys from Georgia in kinship care

❝❝ Sometime they [children without parental care] have people that love and care for them and they just want their own way. ❝❝
A girl from Guyana explaining why children become separated from their parents

Addressing violence, abuse and neglect in the home is complex and requires a range of strategies that combine addressing the root causes of violence, abuse and neglect with immediate measures to protect children in abusive or neglectful family relationships. Strategies to respond to violence, abuse and neglect should include:

- Efforts to address root causes of conflict, violence and abuse in the home such as attitudes towards violence, gender inequality and other uneven power relationships, and children's lack of participation in family decision-making.

- Material support to parents, such as the cash transfer and other social protection programmes outlined in the previous section, as the stresses caused by poverty can exacerbate violence (see for example Thomas de Benitez 2007). Of course, as also outlined above, these schemes need to be actively designed to protect children and reduce the number without parental care to be effective.

- Non-material support to parents, including help with drug and alcohol abuse and in developing parenting skills. These may be particularly important for care leavers, who often have had no good parental role models.

- Child protection mechanisms to remove children from violent or abusive family relationships where it is deemed in their best interests to do so, and to place them in appropriate, family-based alternative forms of care.

- Counselling and support for the victims of violence and abuse, including, where appropriate, reforming justice systems to make them more child friendly and help children gain justice for crimes committed against them.

The box below provides an example of EveryChild's programme in Peru which aims to reduce the loss of parental care through an integrated child protection model which focuses on violence, abuse and neglect in the home. It also provides an example of an EveryChild-supported project in Ethiopia which aims to give child victims of abuse and violence greater access to justice.

As with all child rights, governments have prime responsibility for addressing the violence, abuse and neglect that often leads to a loss of parental care. However, non-governmental organisations (NGO), and communities also have a role to play. The box opposite provides examples of NGO-supported community-based responses to violence and abuse in the home.

Evidence suggests that governments often do not fulfil their responsibilities to address violence, abuse and neglect in the home. Currently, the resources specifically allocated to child protection are woefully inadequate in much of the developing world. The Asian Development Bank estimate than just 4% of already low social

Reducing violence to prevent a loss of parental care in Peru

In Peru, EveryChild have established an integrated child protection model in three regions of the country to combat physical and psychological violence within families. Direct support is provided to victims of violence and at the same time capacity building of children, families and communities, teachers and local authorities is delivered to create a sustainable and locally-owned community protection system. This approach includes:

- Awareness-raising on child protection issues and children's rights and responsibilities with children, parents, community leaders, women and teachers.
- The use of trained volunteer 'Defender Promoters' to approach families, protect and support victims of violence and build awareness of the social and personal implications of violence.
- Psychological support for child victims of abuse, and family/individual therapy for violent parents. Support is also provided to vulnerable families to reduce the risks of violence occurring / re-occurring.
- Access to free legal and advisory services for child victims of violence and abuse, ensuring children are supported financially and emotionally throughout the process.

Giving child victims of violence and abuse access to justice in Ethiopia

In Ethiopia, EveryChild is working with partner agencies to improve the treatment of abused children and those in contact with the law. This has involved supporting the establishment of child protection units within local police stations and child friendly benches within the court systems in two cities. These interventions include free legal services to child victims preparing charges against offenders, which may in some cases be their parents. Physical changes have also been made in the courts to make them more child-friendly and to ensure children feel safe and protected throughout the justice process, for example creating a separate room where children can give their testimonies without having to come face-to-face with their abusers.

Community based responses to violence and abuse in the home
– examples from Malawi and India

In Malawi, EveryChild has established community child protection committees which aim to reduce child abuse, violence in the family, early marriage, stigma associated with HIV and AIDS, and child labour. Members of the committee are trained in providing basic psycho-social support, and in how to document and report cases. Children and adults from the community report cases of abuse or violence to the committee, who then forward them to child protection units at local police stations. These units are also supported by EveryChild.

In India, EveryChild is piloting an innovative community owned and implemented child tracking system which will capture key data on children's status and movement, such as their health, education, child protection risks and family status of the child. This will identify those at risk of separation, allowing community and local support mechanisms to intervene to ensure that children remain with their families. EveryChild plans to advocate for this model to be replicated in other districts, and eventually rolled out across the country.

protection budget allocations are reserved for child protection in East Asia. In India, UNICEF estimates that only 0.035% of total Union budget is spent on child protection (cited in Harper and Jones 2008). Child protection ministries often have limited power, and there is a lack of acknowledgement of the links between child and social protection, and other areas such as justice, education or health.[10] Alarmingly, this problem could potentially be made worse by advances in social protection provision. In some countries, those responsible for administering some social protection measures are also responsible for child protection, with concern that increases in time needed to allocate state benefits will lead to reductions in time and resources available to prevent and respond to reports of abuse and violence against children (Parry-Williams 2007).

Sadly, there is not simply a lack of investment in child protection by national level governments in the developing world; this issue is also absent at the international level. For example, there are no indicators relating to a child's need to be protected from violence, abuse, neglect and exploitation in the Millennium Development Goals (MDGs). The UK's Department for International Development (DFID) recent White Paper (DFID 2009) does not provide a strategy to reduce violence, abuse, neglect and exploitation against children, and DFID is yet to develop a child protection policy to ensure that children are protected and not harmed from their interventions. It is also not compulsory for UK registered charities that work with children overseas to have child protection policies in place.

10 In its child protection strategy, UNICEF also acknowledge the need for integrated models to protect children, arguing that: 'child protection systems comprise the set of laws, policies, regulations and services needed across all social sectors — especially social welfare, education, health, security and justice — to support prevention and response to protection related risks' (UNICEF 2008c)

Continued support for residential care: the need for child care reform

Although the harm caused by the long-term residential care of children is widely acknowledged in international standards, and by many national governments, its use continues to be sanctioned or actively promoted by many policy makers. For example, in South Asia, UNICEF report growing government and civil society support for residential care in many locations (UNICEF 2008a). In South Africa, Meintjes et al (2007) report that government inability or unwillingness to develop systems to monitor family-based care means that children's homes are seen as a preferable alternative. In a review of the response of faith-based organisations to the HIV and AIDS crisis, the Firelight Foundation (2008) note that the widespread use of children's homes diverts resources away from developing family-based care in sub-Saharan Africa.

❛❛ Orphanages become a way to access food, clothing and education when what is really needed is to make these necessities available in the community.❜❜
Firelight Foundation 2008 p.3.

Even in CEE and CIS states, where much has been done to challenge beliefs that state run residential care is best for children, evidence suggests change is piecemeal (Rogers and Smiyikalo 2007; UNICEF 2008d; UNICEF 2009; UNICEF and the Institute for Urban Economics 2008).

The continued use of institutions is expensive, much more so than other forms of care, and therefore uses up a great deal of resources that could be better spent on prevention or developing family-based alternatives. Institutional care is six to 100 times more expensive than family or community-based

A little girl in a Soviet-era residential institution in Kyrgyzstan. There are at least 8 million children in institutional care worldwide. © Chloe Hall/EveryChild

alternatives (Pinheiro 2006). It is also the case that the building of new institutions creates demand for residential care. In a review of alternative care facilities in Southern Africa it was found that variations in the number of children's homes between countries did not vary substantially by factors such as poverty or HIV prevalence rates, leading the author to conclude that 'children are in homes because people build them' (Dunn 2009). This evidence of continued use of institutional care is backed up by analysis of reports produced as part of the UNCRC reporting process in the countries in which EveryChild works. These tend to either pay limited attention to institutional care, or show slow and piecemeal change.

This evidence suggests that governments should make or fulfil existing commitments to ensure that residential care is generally used as a last resort and only when it is in the best interests of the child.[11] Such commitments should extend to the regulation of privately run institutions, and governments, NGOs and faith-based organisations should be encouraged to devote resources to family-

11 Whilst in the UK, there is an argument that the pendulum had shifted too far away from residential care towards alternatives such as fostering in some local authorities (House of Commons – Children, Schools and Families Committee 2009), in much of the developing world, the opposite is true, with too much investment in institutional care, and too little in family-based alternatives. Therefore, in general, attention should be focused on strategies to provide alternatives to residential care.

Reducing the use of residential care

– lessons learnt from Russia and Ukraine

In Russia, EveryChild works to systematise social services for children and families to prevent the institutionalisation of children. Children with disabilities are especially at high risk of being sent into institutions. To avoid this, EveryChild provides a range of services and social support through Social Rehabilitation Centres to families and children with disabilities in two regions of St Petersburg. On a wider level, EveryChild works with local and city level authorities and social workers in St Petersburg to build their understanding of the de-institutionalisation process and to support them in putting the child welfare reform process into practice. This involves training social workers to be able to identify vulnerable families and children at risk of being sent to institutions and to manage cases effectively to provide the correct individualised support. The Russia programme has also been involved in research to identify reasons for entry into care, and monitor the degree to which children in care are regularly assessed. This research is being used to advocate for broader policy change.

In Ukraine, EveryChild's programme, designed at reducing the number of children in residential care, has several components:

- Successfully lobbying for the inclusion of an assessment framework in national legislation to ensure that proper assessment is done before parents are deprived of their parental rights and children placed in institutions.

- Developing a model of emergency fostering to provide children with short-term care whilst families attempt to resolve problems such as drug or alcohol abuse.

- Training village social workers to ensure that families living in remote communities have the support that they need to avoid institutionalisation.

- Support to care leavers through clubs and mentoring schemes to help provide young people who have been in long-term institutional care with the skills they need to become good parents.

- Work to prevent the abandonment of babies in baby homes through training staff in proper assessment techniques, ensuring contact is maintained between abandoned babies and their families, and an information campaign to highlight sources of support for mothers thinking about giving up their babies to the care of the state.

based care rather than residential care. In developing such alternatives, it is important to recognise that international adoption should not be regarded as a solution to the widespread institutionalisation of children. International adoption denies children the opportunity to be kept as close to their ethnic, cultural and linguistic backgrounds as possible, and according to the Hague Convention, should only be used when absolutely in the best interests of the child. High profile international adoption cases may also increase institutionalisation as poverty-stricken parents are encouraged to believe that by placing their children in residential care it gives their children an opportunity for a life with a wealthy western family (Brown 2008).

The boxed text on page 29 provides an example of how EveryChild in Russia and Ukraine has successfully piloted interventions to reduce the number of children in residential care. Although these programmes have been developed in industrialised countries, lessons learnt are relevant for the developing world, with these two examples highlighting key elements of successful programmes to reduce the number of children in residential care:

- Establishing proper systems of assessment and effective case management to ensure that children are only placed in residential care when it is in their best interests and all other family-based alternatives have been exhausted.

- Support to short and long-term family-based alternative forms of care, such as fostering.

- Support to particularly at risk groups, such as families with disabled children or care leavers, to prevent future loss of parental care.

- Developing individualised care plans for children in care to ensure that their needs are regularly reviewed and that they can be returned to families when appropriate.

- Promoting the full participation of children in all decisions which affect them.

- Scaling up interventions and integrating them into government policies to ensure wider impact.

Quality education and health care close to home

In many developing countries children have to leave their parents behind in order to access schooling. Children from Malawi, Peru and Guyana involved in EveryChild consultations report boys and girls from their communities being sent to live with relatives to get help with school fees or to gain access to school facilities that are not available in their villages. Such arrangements may involve a degree of exploitation as children are expected to do housework chores in return for their education, with some children having to work long hours with little time for schooling (Blagbrough 2008).

Children in many parts of the world are sent to boarding schools to receive an education. These arrangements are of concern when children are kept isolated from families and/ or communities for long periods of time, and/ or where there is evidence of abuse or exploitation. For example, boys receiving Koranic schooling in Senegal spend many years away from their families, often with extremely limited contact with home, and have to spend several hours each day begging to earn their keep and as part of their religious education (Delap 2009). In CEE and CIS states, disabled children are routinely sent to specialised boarding schools, with very little provision being offered to these girls and boys in their home communities. As such schools are dispersed across large geographical areas, it is often hard for children to return home or for parents to visit their sons and daughters (UNICEF 2005).

Education can help protect children against many of the factors which lead to their separation from parents. Education can reduce children's vulnerability to trafficking and to the child labour that causes many children to migrate (Dottridge 2006). Education provides children with a productive alternative to work, and, if appropriately designed and delivered, can enhance life skills which may help girls and boys to protect themselves from exploitation. A lack of access to appropriate education, or

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training facilities, has also been linked to the disaffection associated with children coming into conflict with the law and becoming vulnerable to detention and consequent loss of parental care (Save the Children UK 2004).

A lack of access to appropriate health care services can also lead to family separation in some contexts. As noted above, HIV and AIDS are major factors behind growing numbers of children without parental care, particularly in Sub-Saharan Africa. In order for HIV-positive parents to continue to care for their children it is important that they are kept both alive and healthy. Currently, the provision or anti-retroviral treatment, and other forms of health care and nutritional support, is woefully inadequate in many countries (JLICA 2008). Evidence suggests that it is not only the amount of treatment on offer that affects parents' ability to care for their children, but also the way that health care is delivered. HIV+ parents often have to travel long distances to access health care, adding another challenge in their efforts to care for their children. In the chaos surrounding conflict or natural disasters, a failure to provide child care close to medical facilities can lead to long-term family separation (ARC 2004). EveryChild's experiences in CEE and CIS states suggests that the provision of health care in institutions that is better than that on offer in home communities can encourage families to abandon chronically sick children to the care of the state.

Such evidence suggests that education and health care services need to be reformed to ensure that they are provided close to children's homes. Where this is not possible, school children need safe, well-regulated accommodation. This may include family-based care such as short-term fostering or kinship care during term times. It is essential that children in all forms of alternative care have the opportunity to report problems that they face, and schools should be encouraged to support this process. Children should also be able to maintain contact with home on a regular basis.

Reforms of the justice system to stop the widespread use of juvenile detention

Research from around the world suggests that many governments continue to see detention as the only way to respond to juvenile delinquency leading to large numbers of children becoming separated from their parents whilst they serve sentences in prison (Save the Children 2004). Children may also be placed in custody when they are not suspected of having committed a crime, but because they are deemed a nuisance or there is nowhere else to place them. For example, there are frequent reports of round-ups of street children, especially when high profile events are taking place where authorities do not want the presence of beggars to mar the reputation of cities.[12] Trafficked children are often treated as the perpetrators rather than the victims of crime and may be kept in detention whilst awaiting deportation (Dottridge 2006).

There are examples of successful strategies to divert children from the justice system, or to find alternative ways to punish or care for them. However, these strategies are not widely promoted by governments who either lack resources or fear political backlash. Research also suggests that children are often denied access to legal services and given inadequate information regarding their rights and the allegations made against them. In some settings, coercion is used to elicit confessions from children. All of these factors make custodial sentences more likely (Save the Children 2004). This evidence of continued rights abuses in relation to juvenile justice is backed up by an analysis of reports produced as part of the UNCRC reporting process in the countries in which EveryChild works. These

12 This has been reported in relation to the commonwealth games in India (http://www.indiaenews.com/india/20090901/218172.htm)

frequently raise concerns about conditions in detention centres, the length of sentences and pre-trail detention periods.

Reforms of the juvenile justice system are urgently needed to reduce the number of children placed in prison, and protect those who are already in detention. These include:

- Measures designed to reduce rates of juvenile crime and prevent contact with juvenile justice systems, for example through awareness-raising in the community, counselling and strengthening family relationships, developing community policing models and promoting children's clubs / youth clubs.

- Protecting children in the justice system by creating child-friendly approaches, providing protection, support and representation during trials, training prison guards, judges, lawyers, prosecutors and police on child rights, promoting better treatment and care while in prison, and strengthening referral systems.

- Developing diversionary tactics designed to offer alternatives to prison for children, such as community service sentences.

- Supporting children who are leaving prison in their reintegration with families and communities to avoid re-offending. This involves working with children, families and communities before and after children leave prison. This may include life skills and vocational training for children in prisons, counselling and support to prepare children, families and communities for children's return, temporary shelter for children prior to reintegration, and follow-up support once children are back in communities.

The box opposite provides examples of ways to protect children in conflict with the law from EveryChild's programme in Cambodia. The box above on protecting child victims of violence and abuse in the justice system in Ethiopia also provides examples of ways of making justice systems more child-friendly for alleged perpetrators and victims of crime.

A new approach to child trafficking and migration

Evidence from around the world highlights faults in many current strategies on the trafficking of children. In many parts of the world, it is extremely hard to distinguish between trafficked children, who may be defined as girls and boys who have been transported for the purpose of exploitation[13] and independent child migrants, who migrate in search of work, with or without the assistance and knowledge of their parents or others (Dottridge 2006). Evidence further suggests that whilst trafficking effects a substantial, but relatively small number of children, many more girls and boys are independent child migrants (Reale 2008; Dottridge 2006). As demonstrated above, these children suffer from abuse and exploitation on route and at their destinations. However, especially in comparison to trafficked children, they receive scant attention from governments and others with a responsibility to protect them.

It is also the case that some strategies to address trafficking may actually harm the rights of child migrants. Overly restrictive controls on children's movement in the name of preventing their exploitation at the hands of traffickers, often do not address the root causes of the problem, such as poverty and lack of access to good quality schooling. As a result, these strategies often fail to reduce the number of children on the move, and instead force children into more dangerous clandestine movement (The Global Alliance Against Traffic in Women 2007).

13 This definition derives from the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), commonly known as the Palmero Protocol, and from the optional protocol to the UN CRC on the Sale of Children, Child Prostitution, and Child Pornography (2000).

Protecting children in conflict with the law in Cambodia

In Cambodia EveryChild is working with partners to protect street children in conflict with the law across four provinces. Free legal services are provided to children on trial and non-formal education, nutrition and medical care is provided to children already in prisons. Once children leave prison, EveryChild supports their reintegration back into families and communities. On a broader level EveryChild is advocating for the Cambodian government to have a specific juvenile justice law that would promote child-friendly justice systems. EveryChild is also training policy-makers, key authorities, service providers and civil society on ways to protect children and on local level diversion methods to reduce the numbers of children who come into contact with the law. It is hoped that by building up capacities now it will be possible to implement the law effectively once it is passed.

Such evidence suggests that a new approach to child trafficking and migration is needed which invests in:

- Monitoring the impact of anti-trafficking measures on independent child migrants, and adapting these measures where they are shown to have a harmful impact on child migrants.

- Addressing the root causes of trafficking and migration through, for example, the investments in appropriate social protection and education outlined above.

- Protecting children who migrate in search of work, through for example, life-skills training or linking children up with supportive networks.

5 An increase in a loss of parental care – a threat to the Millennium Development Goals

The complex array of root causes of a loss of parental care reiterates the importance of achieving the Millennium Development Goals (MDGs). The negative impacts of a loss of parental care also suggests that in order to make progress against the MDGs, more work must be done to reduce the number of children without parental care, and to protect those who are already separated from their families. This is particularly important as recent reviews of progress against the MDGs suggest that the world is not on target to achieve several of the goals by 2015 (UN 2008). The links between the MDGs and a loss of parental care are summarised below.

The relationship between the MDGs and children without parental care

MDG	What impact does a rise in a loss of parental care have on achieving the MDGs?	What impact will progress towards the MDGs have on children without parental care?
Eradicate extreme poverty and hunger	**Children without parental care are more vulnerable to malnutrition.** Children living on the streets struggle to find enough food to eat. Children in kinship care may be discriminated against, or cared for by elderly grandparents who cannot provide for them. Children in detention and in some forms of residential care are commonly not given adequate food. **A loss of parental care has long-term ramifications for adult poverty.** Children whose education or development is damaged by a loss of parental care may struggle to earn adequate incomes in adulthood.	**Poverty is a major driving force behind a loss of parental care.** Poverty can encourage families struggling to cope to place children in institutional care, and is a major driving force behind child migration, trafficking and juvenile delinquency which can all lead to a loss of parental care. Poverty also exacerbates other factors which leave children at risk of a loss of parental care, such as domestic violence and a lack of access to education.
Achieve universal primary education	**A loss of parental care prevents many children from attending school.** Children without parental care are often too busy working to attend school, or may be denied access to school by those responsible for their care. School systems discriminate against some groups of children without parental care, and are often not flexible enough to meet their needs.	**Education reduces children's vulnerability to a loss of parental care.** For example, it can give children an alternative to exploitative work, and provide them with the life-skills needed to avoid trafficking. Education can also help address the disaffection that leads to many children committing crimes and being detained. However, education only helps to reduce the number of children without parental care if it is provided close to home. Currently, children are often unable to access good quality education near to their parents.
Promote gender equity and empower women	**A loss of parental care can perpetuate gender inequity** by, for example, denying girls a right to an education	**Gender inequity is often behind a loss of parental care.** Discrimination against girls and women, harmful cultural practices, and gender-based violence can all make children more vulnerable to separation from their parents.
Reduce child mortality	**Young children are more likely to die if they are without parental care.** Globally, babies are more likely to die if they don't live with their mothers. In Russia, the mortality rate for children under four years old in institutional care is ten times higher than that of the general population.	
Improve maternal health	**Children without parental care are often exposed to early sexual activity** and consequent early pregnancy with associated higher risks to maternal health.	**High rates of death during pregnancy and child birth deny many children a mother.** Whilst some children are cared for by fathers, they are at greater risk of losing parental care all together, particularly as they are often discriminated against in step-families.[14]
Combat HIV/AIDS, malaria and other diseases	**Many children without parental care are at higher risk of HIV infection** due to early sexual activity or/ and sexual exploitation.	**HIV and AIDS place many children at risk of a loss of parental care.** The AIDS pandemic is largely responsible for the 50% rise in orphans in sub-Saharan Africa in recent years.
Ensure environmental sustainability		The increase in natural disasters as a result of global warming is leading to more children without parental care.
Develop a global partnership for development		Aids flows, particularly those directed at social and child protection and education, have a major impact on the number of children without parental care.

14 This point was made repeatedly by children who took part in the consultations for this report – see 'EveryChild Deserves a Family' on our website for more details: www.everychild.org.uk

Missing: Children without parental care in international development policy
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6 A call to action on children without parental care

There is an urgent need to take action on children without parental care as numbers are rapidly rising, and a growing number of children are facing fundamental abuses of their rights as a result. There is also an opportunity to build on the growing momentum around this issue, as demonstrated by support for the UN Guidelines on the Alternative Care of Children, and by several high level international conferences on this issue. In September 2009, over 400 policy makers and practitioners met in Nairobi to discuss family-based care for children in the face of the rising number of boys and girls who have lost parents to AIDS in Africa. In November 2009, government ministers, academics and policy makers from around the world met in the UK to explore the need for child and social protection reform to better respond to the needs of children without parental care.

All action on children without parental care should support the principle that family-based care is usually best for children, and that residential care should generally be used as a last resort. Therefore, preventing a loss of parental care, reintegrating children separated from families, and promoting family-based alternatives to institutional care are all priorities. As argued throughout this paper, responding to the growing number of children without parental care is not just the responsibility of small number of child rights agencies specialising in the field of child protection; there is also a role for others working in international development. To address this problem, it is necessary to engage and co-ordinate the efforts of individuals and agencies working in the following sectors:

■ **Social protection:** Enhancing material and non-material support to vulnerable families to help them address the root causes of a loss of parental care, and using social protection programmes to help protect children already without parental care. Ensuring, that existing programmes do not inadvertently lead to increase in a loss of parental care, and that new programmes are designed to be sensitive to this issue.

■ **Child care reform and child protection services:** Developing and supporting community based child protection mechanisms and enhancing family-based alternatives to residential care. Ensuring that proper systems of assessment, case management and regular review are in place for children already in residential or other forms of state care. Ensuring that child protection concerns are mainstreamed into other areas of development intervention, including social protection, education and justice sector reform.

■ **Education:** Providing high quality, relevant, education close to home that aims to protect children without parental care and, where this is not possible, ensuring that children who have to leave home in order to gain an education have safe, well monitored accommodation.

Health care: Providing adequate health care services for vulnerable families close to home and, where this is not possible, ensuring that safe, well-monitored, temporary forms of care are offered to children whose parents have been hospitalised. Ensuring that chronically sick or disabled children do not have to enter institutionalised care in order to receive treatment and support.

Justice: Making justice systems more child-friendly to protect and support child victims of abuse, violence and exploitation. Reducing the number of children placed in detention through measures designed to reduce juvenile offending, support to ensure free and fair trials, and diversionary tactics which offer alternatives forms of punishment for children.

Trafficking and migration: Ensuring that anti-trafficking measures do not have a negative impact on independent child migrants. Investing in social and child protection and education to reduce the number of child migrants/ trafficked children. Protecting children who migrate in search of work.

In order to make progress in reducing the number of children without parental care and protecting those already separated from their parents, EveryChild believe that urgent action is needed in the following areas:

1 Promoting the full implementation of the UN Guidelines on the Alternative Care of Children:

- All governments who have ratified the UNCRC must develop an action plan for the full implementation of the UN guidelines which involves the participation of children, families and communities. Such action plans should not narrowly focus on child care reform, but extend to ensuring that children without parental care are considered in social protection programmes, and the delivery of basic services.

- International donors must provide proper investment in programmes to disseminate and implement the guidelines and should be transparent in the documentation, monitoring and evaluation and publishing of this process.

- Civil society organisations (CSOs) should support the development of national plans of action, including promoting child and community participation. CSOs should also commit to promoting the guidelines in their own interventions, particularly through reversing the current support offered to residential rather than family-based care by many CSOs.

2 Mainstreaming children without parental care in UK government international development policy:

- DFID should mainstream child protection issues and children without parental care in their interventions on global poverty reduction, including on social protection systems, HIV and AIDS, education, health and justice, and in responses to environmental degradation, conflict and natural disasters.

- DFID should devote more resources to specific interventions aimed at protecting children from violence, abuse, neglect and exploitation, and at reducing the number of children without parental care. DFID should be transparent in the documentation, monitoring and evaluation and publishing of this process.

- DFID must develop a child protection policy to help ensure that its actions benefit and do not harm children.

3 Ensuring that the post MDG framework includes child protection/ children without parental care indicators:

World leaders, UN partners and others working on the post MDG framework must ensure that additions to the MDGs include indicators reflecting the need to protect children from violence, abuse and exploitation, and the central importance of parental care in protecting children.

It is only through such concerted efforts that we can ensure the next major anniversary of the UNCRC sees a fall, rather than a rise, in the number of children without parental care.

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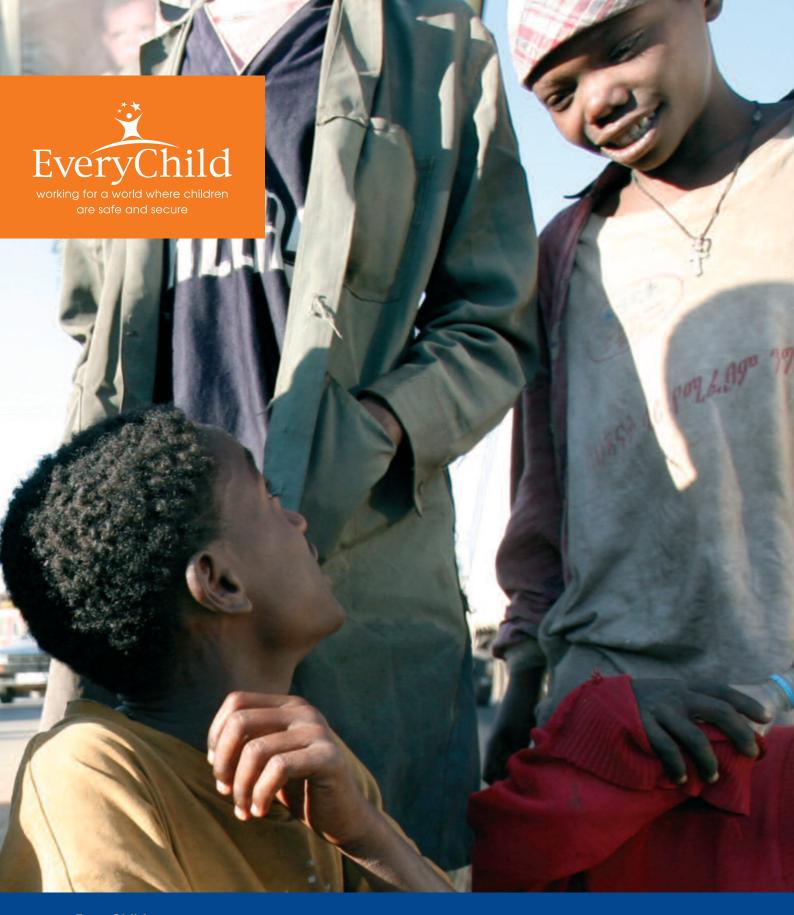
Appendix 1:
Methods used to consult with children

In each of the ten countries where EveryChild has an office, staff or partners were asked to facilitate focus groups with children that EveryChild works with. Staff and partners were asked to conduct a minimum of two focus groups per country, though many responded with such enthusiasm that a greater number of group discussions were completed. Staff and partners were asked to talk to girls and boys separately, and to consider issues such as age, and whether or not the child lives with parents, in the composition of the groups. The group discussions were guided by a common check list of questions which were field tested in Peru and Guyana before being used in the remaining eight countries. In some countries, staff and partners used innovative techniques, such as drawing and games to help facilitate the discussions. In some countries, where staff or partners had limited prior experience of child participation, a short training course was completed before the consultations. All of those involved in the consultation received guidance on the ethical concerns associated with consulting with children. The discussions took place between April and July 2009.

Table 1 below shows the number of participants by sex and country and the total number of group discussions. Of the 416 children we spoke to, just over half were aged 13 years or over, with only a very few children aged under eight years old involved in the process. Just under half of the boy and girls included in the consultations were without parental care. Most of the children we spoke to without parental care were in residential care, though some were in kinship care or living on the streets.

Table 1: The number of participations by sex and country and the total number of group discussions by country

	Girls	Boys	Number of group discussions
CIS/ CEE			
Georgia	9	12	3
Kyrgyzstan	16	16	4
Moldova	20	21	4
Russia	5	12	4
Ukraine	11	10	2
Asia			
Cambodia	19	18	4
India	8	11	2
Africa			
Malawi	34	32	6
Latin America and the Caribbean			
Peru	37	34	8
Guyana	48	43	10
Total	207	209	51